

**UNITED STATES COURT OF APPEALS  
FOR THE ELEVENTH CIRCUIT**

ELBERT PARR TUTTLE COURT OF APPEALS BUILDING  
56 Forsyth Street, N.W.  
Atlanta, Georgia 30303

John Ley  
Clerk of Court

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November 24, 2010

Sharon Harris  
United States District Court  
Hugo Black U. S. Courthouse  
1729 Fifth Avenue North  
Birmingham, AL 35203

Appeal Number: 10-14509-FF  
Case Style: Roger Shuler, et al v. Ingram & Associates, et al  
District Court Docket No: 2:08-cv-01238-AKK

The enclosed certified copy of the Clerk's Entry of Dismissal for failure to prosecute in the above referenced appeal is issued as the mandate of this court. See 11th Cir. R. 41-4. Pursuant to 11th Cir. R. 42-2(c) and 42-3(c), when an appellant fails to timely file or correct a brief or record excerpts, the appeal shall be treated as dismissed on the first business day following the due date. This appeal was treated as dismissed on 11/05/2010.

Counsel and pro se parties are advised that pursuant to Fed.R.App.P. 25(a)(2)(A), a motion to set aside the dismissal and remedy the default "is not timely unless the clerk receives the papers within the time fixed for filing."

The district court clerk is requested to acknowledge receipt on the copy of this letter enclosed to the clerk.

Sincerely,

JOHN LEY, Clerk of Court

Reply to: Brenda McConnell  
Phone #: (404) 335-6100

Enclosure(s)

DIS-2CIV Letter and Entry of Dismissal

IN THE UNITED STATES COURT OF APPEALS  
FOR THE ELEVENTH CIRCUIT

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No. 10-14509-FF

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ROGER SHULER,  
CAROL SHULER,

Plaintiffs - Appellants,

versus

INGRAM & ASSOCIATES,  
NCO FINANCIAL SYSTEMS, INC.,

Defendants - Appellees.

FILED  
U.S. COURT OF APPEALS  
ELEVENTH CIRCUIT

NOV 24 2010

JOHN LEY  
CLERK

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Appeal from the United States District Court for the  
Northern District of Alabama

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ENTRY OF DISMISSAL: Pursuant to the 11th Cir.R. 42-2(c), this appeal is DISMISSED for want of prosecution because the appellant Carol Shuler and Roger Shuler failed to file record excerpts within the time fixed by the rules, effective November 24, 2010.

JOHN LEY  
Clerk of the United States Court  
of Appeals for the Eleventh Circuit

by: Brenda McConnell, Deputy Clerk

FOR THE COURT - BY DIRECTION

*[Handwritten signatures and initials follow, including "Brenda McConnell" and "BMC".]*